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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206251
Party	Defendant Finish Strong Ventures, Inc.
Correspondence Address	Howard N. Aronson Lackebach Siegel LLP Lackebach Siegel Building 1 Chase Road Scarsdale, NY 10583-4156 tmefs@LSLLP.com
Submission	Answer
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Date	08/30/2012
Attachments	Answer.pdf (4 pages)(205564 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Application Serial No.: 85171899
Mark: THE ELEVATION GROUP
International Class: 41
Applicant: Finish Strong Ventures, Inc.
Published in *Official Gazette*: April 3, 2012

ELEVATION MANAGEMENT, LLC,	X	
	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91206251
	:	
FINISH STRONG VENTURES, INC.,	:	
	:	
Applicant.	:	
	X	

ANSWER

Applicant, Finish Strong Ventures, Inc. ("Applicant"), by and through its attorneys, for its Answer and Defenses to the Notice of Opposition filed by Elevation Management, LLC ("Opposer"), responds as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 1 of the Notice of Opposition, and therefore denies same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 2 of the Notice of Opposition, and therefore denies same.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 3 of the Notice of Opposition, and therefore denies same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 4 of the Notice of Opposition, and therefore denies same.
5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 5 of the Notice of Opposition, and therefore denies same.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 6 of the Notice of Opposition, and therefore denies same.

The Opposed Application

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition.
8. Applicant admits that it claimed a date of first use of October 22, 2010 on its Application for the service mark THE ELEVATION GROUP, but is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations asserted in Paragraph 8 of the Notice of Opposition, and therefore denies same.
9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 9 of the Notice of Opposition, and therefore denies same.
10. Applicant admits the allegations of Paragraph 10 of the Notice of Opposition.
11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the matters asserted in Paragraph 11 of the Notice of Opposition, and therefore denies same.

FIRST CAUSE OF ACTION
Likelihood of Confusion

12. Applicant repeats and realleges its responses as set forth above in Paragraphs 1-11.
13. Applicant denies the allegations of Paragraph 13 of the Notice of Opposition.
14. Applicant denies the allegations of Paragraph 14 of the Notice of Opposition.
15. Applicant denies the allegations of Paragraph 15 of the Notice of Opposition.

SECOND CAUSE OF ACTION
Lack of Use

16. Applicant repeats and realleges its responses as set forth above in Paragraphs 1-15.
17. Applicant denies the allegations of Paragraph 17 of the Notice of Opposition.
18. Applicant admits the allegations of Paragraph 18 of the Notice of Opposition.
19. Applicant admits that its specimen used in the filing of the subjected application shows a logo version of the words THE ELEVATION GROUP, but denies the remaining allegations set forth in Paragraph 19 of the Notice of Opposition.
20. Applicant denies the allegations of Paragraph 20 of the Notice of Opposition.
21. Applicant denies the allegations of Paragraph 21 of the Notice of Opposition.

WHEREFORE, Applicant respectfully requests that this opposition proceeding be dismissed, with prejudice.

Dated: August 30, 2012

Respectfully submitted,

LACKENBACH SIEGEL LLP



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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the enclosed **ANSWER** was served on Opposer on August 30, 2012, via U.S. 1st Class Mail, addressed to counsel for Opposer as follows:

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Dated: Scarsdale, New York
August 30, 2012



Nicole Saraco